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HOUSE BILL 600

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Lisa L. Lutz

AN ACT

RELATING TO TRADE PRACTICES AND REGULATION; REDUCING REQUIRED
INSURANCE COVERAGE FOR CERTAIN CARNIVAL RIDE OWNERS OR
OPERATORS; AMENDING AND ENACTING SECTIONS OF THE CARNIVAL RIDE
INSURANCE ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 57-25-1 NMSA 1978 (being Laws 1993,
Chapter 284, Section 1) is amended to read:

"57-25-1. SHORT TITLE. -- [~~This act~~] Chapter 57, Article
25 NMSA 1978 may be cited as the "Carnival Ride Safety and
Insurance Act". "

Section 2. Section 57-25-2 NMSA 1978 (being Laws 1993,
Chapter 284, Section 2, as amended) is amended to read:

"57-25-2. DEFINITIONS. -- As used in the Carnival Ride
Safety and Insurance Act:

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 A. "carnival ride" means any mechanical device,
2 air or inflatable device, amusement device, aquatic device or
3 combination of devices that carries or conveys passengers on,
4 along, around, through or over a fixed or restricted route or
5 course or within a defined area for the purpose of giving its
6 passengers amusement, pleasure, thrills or excitement,
7 including bungee jumping facilities and state fair rides, but
8 does not include [~~playground equipment, a single passenger,~~
9 ~~coin-operated device secured by a stationary foundation or a~~
10 ~~small promotional event or operation consisting of fewer than~~
11 ~~six kiddie rides designed for children twelve years of age or~~
12 ~~younger, including merry-go-rounds]~~ a ski lift, or a coin-
13 operated device meant for use by children below eight years of
14 age that is permanently affixed at a retail commercial
15 business;

16 B. "department" means the regulation and licensing
17 department;

18 C. "inspection" means a physical examination of a
19 carnival ride by an inspector of the regulation and licensing
20 department prior to issuing a certificate of inspection,
21 including reinspection to verify a correction of any
22 deficiency noted by the inspector;

23 D. "local jurisdiction" means a county or
24 municipality in which a carnival ride is operating;

25 [~~D.~~] E. "operator" means a person actually engaged

underscored material = new
[bracketed material] = delete

1 in or directly controlling the operation of a carnival ride,
2 including a person who contracts with an owner to operate a
3 carnival ride; and

4 [E-] F. "owner" means a person, including the
5 state or any political subdivision of the state, who owns or
6 leases a carnival ride."

7 Section 3. Section 57-25-3 NMSA 1978 (being Laws 1993,
8 Chapter 284, Section 3, as amended) is amended to read:

9 "57-25-3. LIABILITY INSURANCE REQUIRED-- CERTIFICATE OF
10 INSPECTION REQUIRED-- CARNIVAL RIDE INSURANCE FUND CREATED. --

11 A. No person shall operate a carnival ride without
12 a policy of liability insurance in an amount not less than
13 [~~three million dollars (\$3,000,000) against liability for~~
14 ~~injury to persons arising out of the operation of the carnival~~
15 ~~ride~~]:

16 (1) one million dollars (\$1,000,000) if there
17 have been no claims resulting in a settlement exceeding one
18 hundred thousand dollars (\$100,000) against the owner or
19 operator within the previous three years and the certification
20 was maintained continuously during that time; or

21 (2) three million dollars (\$3,000,000) if the
22 certification of the carnival ride was issued by the
23 department after July 1, 1996 or if the department has revoked
24 or suspended the certification of the carnival ride.

25 B. Either a copy of the policy furnished to the

underscored material = new
[bracketed material] = delete

1 insured or a certificate stating that the insurance required
2 by this section is in effect shall be filed with the
3 department and [a] the local [government entity] jurisdiction.
4 The owner or operator shall provide a copy of an amended
5 insurance policy to the department within five working days of
6 effecting the amendment.

7 C. The policy shall contain a schedule listing by
8 name and serial number of each carnival ride insured by the
9 policy. In the event of additions or deletions of carnival
10 rides during the policy terms, such changes shall be shown on
11 a change endorsement, a copy of which shall be submitted to
12 the department and the local [~~government entity~~] jurisdiction.

13 D. In the event of policy cancellation or
14 expiration by either the insured owner or operator or the
15 insurance company, the insured shall furnish notice of the
16 cancellation to the department and the local [~~government~~
17 ~~entity~~] jurisdiction not later than ten days prior to
18 cancellation.

19 E. No person or owner or operator of a carnival
20 ride shall operate any carnival ride without obtaining a
21 certificate of inspection for each ride by an inspector of the
22 department or its designee and filing the certificate of
23 inspection with the local [~~government~~] jurisdiction. The
24 owner or operator shall annually have each carnival ride
25 inspected and annually file the certificate of inspection.

underscored material = new
[bracketed material] = delete

1 The certificate of inspection shall state that the carnival
2 ride operator or owner has had the rides independently
3 inspected by a national amusement ride safety official class
4 1, 2 or 3 inspector within the previous twelve months of the
5 operation of the ride within the state and whether any
6 deficiencies noted by the [~~engineer~~] inspector have been
7 corrected. The department may not certify a carnival ride for
8 which the inspector has noted a deficiency until the
9 deficiency is corrected and reinspected. In addition, the
10 owner or operator of the ride shall inspect the ride each day
11 the ride is operated before any member of the public is
12 permitted to board the ride. The owner or operator shall keep
13 a current log of such inspections, which shall be available
14 for review by local enforcement officials during operating
15 hours.

16 F. The insured shall pay a [~~fifty dollar (\$50.00)~~]
17 seventy-five-dollar (\$75.00) per carnival ride per inspection
18 filing fee with the department.

19 G. The "carnival ride insurance fund" is created
20 in the state treasury. The fund shall consist of all filing
21 fees received by the department pursuant to the Carnival Ride
22 Safety and Insurance Act. Money in the carnival ride
23 insurance fund is appropriated to the department for the
24 purpose of carrying out the provisions of the Carnival Ride
25 Safety and Insurance Act. [~~The fund shall not be expended for~~

underscored material = new
[bracketed material] = delete

1 ~~any purpose other than carrying out the provisions of the~~
2 ~~Carnival Ride Insurance Act]~~ Disbursement of the fund shall be
3 made upon a warrant drawn by the secretary of finance and
4 administration pursuant to vouchers signed by the
5 superintendent of regulation and licensing. Balances in the
6 fund at the end of any fiscal year shall not revert to the
7 general fund. "

8 Section 4. Section 57-25-4 NMSA 1978 (being Laws 1993,
9 Chapter 284, Section 4) is amended to read:

10 "57-25-4. PENALTY. --

11 A. The department or its authorized representative
12 may issue a written order for the temporary cessation of
13 operation of a carnival ride if it has been determined that
14 the owner or operator [~~has not acquired a policy of insurance~~
15 ~~or has not maintained inspections of his carnival rides]~~ is
16 not in compliance with the Carnival Ride Safety and Insurance
17 Act. The operation of the ride shall not resume until the
18 [~~requisite insurance is in effect, inspections have been made~~
19 ~~and the requisite certificates have been filed with the~~
20 ~~department and the local government entity]~~ owner or operator
21 complies with all provisions of the Carnival Ride Safety and
22 Insurance Act and rules adopted pursuant to that act.

23 B. The department may appear in its own name in
24 the district court of Santa Fe county or any other county
25 having jurisdiction to prevent violations or to enforce the

underscored material = new
[bracketed material] = delete

1 provisions of the Carnival Ride Safety and Insurance Act, the
2 orders, rules and regulations, codes and minimum standards
3 made pursuant to [~~this~~] that act by injunction, mandamus or
4 any other proper legal proceeding without bond, including an
5 order not to move the carnival ride.

6 C. The local law enforcement agency shall have the
7 authority to [~~enforce the provisions of the Carnival Ride~~
8 ~~Insurance Act~~] prohibit the operation of a carnival ride that
9 does not display a decal. Any person who [~~does not maintain~~
10 ~~liability insurance on a carnival ride, operates a carnival~~
11 ~~ride or authorizes the operation of a carnival ride that does~~
12 ~~not have insurance, does not annually have his carnival rides~~
13 ~~inspected or does not file the proper certificates as set~~
14 ~~forth in the Carnival Ride Insurance Act~~] is found to be in
15 violation of any provision of or rule adopted pursuant to the
16 Carnival Ride Safety and Insurance Act is guilty of a
17 misdemeanor, and upon conviction the court shall impose a fine
18 of up to one thousand dollars (\$1,000) a day for the operation
19 of each ride.

20 D. The department may revoke or suspend the
21 certification for a carnival ride operated in violation of the
22 Carnival Ride Safety and Insurance Act. "

23 Section 5. Section 57-25-5 NMSA 1978 (being Laws 1993,
24 Chapter 284, Section 5) is amended to read:

25 "57-25-5. LIABILITY--LIMITATIONS.--No provision of the

underscored material = new
[bracketed material] = delete

1 Carnival Ride Safety and Insurance Act shall be construed to
2 place any liability on the state or on the department with
3 respect to any claim by any person, firm or corporation
4 relating to a carnival ride or to any injury or damages
5 arising from a carnival ride. "

6 Section 6. Section 57-25-6 NMSA 1978 (being Laws 1993,
7 Chapter 284, Section 6) is amended to read:

8 "57-25-6. EXEMPTIONS. -- The provisions of the Carnival
9 Ride Safety and Insurance Act shall not apply to nonprofit
10 organizations that own and operate a carnival ride ten days or
11 less each year. "

12 Section 7. A new section of the Carnival Ride Safety and
13 Insurance Act is enacted to read:

14 "[NEW MATERIAL] DECAL REQUIRED-- LOCAL JURISDICTION LAW
15 ENFORCEMENT. --

16 A. The department shall annually issue a decal of
17 certification for each carnival ride certified by the
18 department. No carnival ride may be operated without the
19 current decal posted conspicuously on the ride. The
20 department shall revoke or suspend the certification of all
21 carnival rides operated by the owner or operator of a carnival
22 ride on which a decal has been falsely placed. Decals shall
23 include:

- 24 (1) the name of the carnival ride;
- 25 (2) the serial number of the ride;

underscored material = new
[bracketed material] = delete

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- (3) the date of the inspection of the carnival ride;
- (4) the date of certification; and
- (5) the telephone number of the department.

B. A law enforcement officer employed by local jurisdiction may inspect a carnival ride and order the closure of any ride operating without a decal. The local jurisdiction shall immediately notify the department of the closure of the carnival ride. Upon receiving the notification from a local law enforcement office, the department shall conduct a review of the certification of the carnival ride.

C. A carnival ride owner or operator shall provide conspicuous notification at the entrance of a carnival ride operation that the Carnival Ride Safety and Insurance Act requires certification of carnival rides, and certified carnival rides have a decal of certification conspicuously posted.

D. The department shall adopt rules to carry out the provisions of the Carnival Ride Safety and Insurance Act. "

Section 8. DELAYED REPEAL. --The Carnival Ride Safety and Insurance Act is repealed effective July 1, 2004.

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3
4
5
6 March 14, 1999

7
8 Mr. Speaker:

9
10 Your JUDICIARY COMMITTEE, to whom has been referred

11
12 HOUSE BILL 600, as amended

13
14 has had it under consideration and reports same with
15 recommendation that it DO NOT PASS, but that

16
17 HOUSE JUDICIARY COMMITTEE SUBSTITUTE
18 FOR HOUSE BILL 600

19 DO PASS.
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

Page 11

Respectfully submitted,

R. David Pederson, Chairman

Adopted _____

(Chief Clerk)

Not Adopted _____

(Chief Clerk)

Date _____

The roll call vote was 10 For 0 Against

Yes: 10

Excused: Luna, Sanchez

Absent: None

J:\99BillsWP\H0600

underscored material = new
[bracketed material] = delete

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
FOR HOUSE BILL 600

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

AN ACT

RELATING TO TRADE PRACTICES AND REGULATION; REQUIRING
INSURANCE COVERAGE FOR KIDDIE RIDE OWNERS OR OPERATORS;
REQUIRING INSPECTION AND LICENSURE OF KIDDIE RIDES; AMENDING
AND ENACTING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 57-25-1 NMSA 1978 (being Laws 1993,
Chapter 284, Section 1) is amended to read:

"57-25-1. SHORT TITLE. -- [~~This act~~] Chapter 57, Article
25 NMSA 1978 may be cited as the "Carnival Ride Safety and
Insurance Act". "

Section 2. Section 57-25-2 NMSA 1978 (being Laws 1993,
Chapter 284, Section 2, as amended) is amended to read:

"57-25-2. DEFINITIONS. -- As used in the Carnival Ride
Safety and Insurance Act:

A. "carnival ride" means any mechanical device,
air or inflatable device, amusement device, aquatic device or
combination of devices that carries or conveys passengers on,

1 along, around, through or over a fixed or restricted route or
2 course or within a defined area for the purpose of giving its
3 passengers amusement, pleasure, thrills or excitement,
4 including bungee jumping facilities and state fair rides, but
5 does not include playground equipment, [~~a single passenger,~~
6 ~~coin-operated device secured by a stationary foundation or a~~
7 ~~small promotional event or operation consisting of fewer than~~
8 ~~six kiddie rides designed for children twelve years of age or~~
9 ~~younger, including merry-go-rounds]~~ a kiddie ride, a ski lift,
10 or a coin-operated device meant for use by children below
11 eight years of age that is permanently affixed at a retail
12 commercial business;

13 B. "department" means the regulation and licensing
14 department;

15 C. "inspection" means a physical examination of a
16 carnival ride or kiddie ride by an inspector of the regulation
17 and licensing department prior to issuing a certificate of
18 inspection, including reinspection to verify a correction of
19 any deficiency noted by the inspector;

20 D. "kiddie ride" means any mechanical device, air
21 or inflatable device, amusement device, aquatic device or
22 combination of devices that carries or conveys passengers on,
23 along, around, through or over a fixed or restricted route or
24 course or within a defined area for the purpose of giving its
25 passengers amusement, pleasure, thrills or excitement and that
is designed for children forty-two inches in height or
smaller;

26 E. "local jurisdiction" means a county or
27 municipality in which a carnival ride or kiddie ride is
28 operating;

29 [D.] F. "operator" means a person actually engaged
30 in or directly controlling the operation of a carnival ride or

1 kiddie ride, including a person who contracts with an owner to
2 operate a carnival ride or kiddie ride ; and

3 [E-] G. "owner" means a person, including the
4 state or any political subdivision of the state, who owns or
5 leases a carnival ride or kiddie ride."

6 Section 3. Section 57-25-3 NMSA 1978 (being Laws 1993,
7 Chapter 284, Section 3, as amended) is amended to read:

8 "57-25-3. LIABILITY INSURANCE REQUIRED--CERTIFICATE OF
9 INSPECTION REQUIRED--CARNIVAL RIDE INSURANCE FUND CREATED. --

10 A. No person shall operate a carnival ride without
11 a policy of liability insurance in an amount not less than
12 three million dollars (\$3,000,000) against liability for
13 injury to persons arising out of the operation of the carnival
14 ride.

15 B. No person shall operate a kiddie ride without a
16 policy of liability insurance in an amount not less than one
17 million dollars (\$1,000,000) against liability for injury to
18 persons arising out of the operation of the kiddie ride.

19 [B-] C. Either a copy of the policy furnished to
20 the insured or a certificate stating that the insurance
21 required by this section is in effect shall be filed with the
22 department and [a] the local [government entity] jurisdiction.
23 The owner or operator shall provide a copy of an amended
24 insurance policy to the department within five working days of
25 effecting the amendment.

[C-] D. The policy shall contain a schedule
listing by name and serial number of each carnival ride or
kiddie ride insured by the policy. In the event of additions

1 or deletions of carnival rides or kiddie rides during the
 2 policy terms, such changes shall be shown on a change
 3 endorsement, a copy of which shall be submitted to the
 4 department and the local [~~government entity~~] jurisdiction.

5 [~~D-~~] E. In the event of policy cancellation or
 6 expiration by either the insured owner or operator or the
 7 insurance company, the insured shall furnish notice of the
 8 cancellation to the department and the local [~~government~~
 9 ~~entity~~] jurisdiction not later than ten days prior to
 9 cancellation.

10 [~~E-~~] F. No person or owner or operator of a
 11 carnival ride or kiddie ride shall operate any carnival ride
 12 or kiddie ride without obtaining a certificate of inspection
 13 for each ride by an inspector of the department or its
 14 designee and filing the certificate of inspection with the
 15 local [~~government~~] jurisdiction. The owner or operator shall
 16 annually have each carnival ride or kiddie ride inspected and
 17 annually file the certificate of inspection. The certificate
 18 of inspection shall state that the carnival ride operator or
 19 owner or kiddie ride operator or owner has had the rides
 20 independently inspected by a national amusement ride safety
 21 official class 1, 2 or 3 inspector within the previous twelve
 22 months of the operation of the ride within the state and
 23 whether any deficiencies noted by the [~~engineer~~] inspector
 24 have been corrected. The department may not certify a
 25 carnival ride or kiddie ride for which the inspector has noted
a deficiency until the deficiency is corrected and
reinspected. In addition, the owner or operator of the ride

1 shall inspect the ride each day the ride is operated before
2 any member of the public is permitted to board the ride. The
3 owner or operator shall keep a current log of such
4 inspections, which shall be available for review by local
5 enforcement officials during operating hours.

6 ~~[F.]~~ G. The insured shall pay a ~~[fifty dollar~~
7 ~~(\$50.00)]~~ seventy-five-dollar (\$75.00) per carnival ride or
8 kiddie ride per inspection filing fee with the department.

9 ~~[G.]~~ H. The "carnival ride insurance fund" is
10 created in the state treasury. The fund shall consist of all
11 filing fees received by the department pursuant to the
12 Carnival Ride Safety and Insurance Act. Money in the carnival
13 ride insurance fund is appropriated to the department for the
14 purpose of carrying out the provisions of the Carnival Ride
15 Safety and Insurance Act. ~~[The fund shall not be expended for~~
16 ~~any purpose other than carrying out the provisions of the~~
17 ~~Carnival Ride Insurance Act]~~ Disbursement of the fund shall be
18 made upon a warrant drawn by the secretary of finance and
19 administration pursuant to vouchers signed by the
20 superintendent of regulation and licensing. Balances in the
21 fund at the end of any fiscal year shall not revert to the
22 general fund. "

23 Section 4. Section 57-25-4 NMSA 1978 (being Laws 1993,
24 Chapter 284, Section 4) is amended to read:

25 "57-25-4. PENALTY. --

A. The department or its authorized representative
may issue a written order for the temporary cessation of
operation of a carnival ride or kiddie ride if it has been

1 determined that the owner or operator [~~has not acquired a~~
 2 ~~policy of insurance or has not maintained inspections of his~~
 3 ~~carnival rides~~] is not in compliance with the Carnival Ride
 4 Safety and Insurance Act. The operation of the ride shall not
 5 resume until the [~~requisite insurance is in effect,~~
 6 ~~inspections have been made and the requisite certificates have~~
 7 ~~been filed with the department and the local government~~
 8 ~~entity~~] owner or operator complies with all provisions of the
 9 Carnival Ride Safety and Insurance Act and rules adopted
pursuant to that act.

10 B. The department may appear in its own name in
 11 the district court of Santa Fe county or any other county
 12 having jurisdiction to prevent violations or to enforce the
 13 provisions of the Carnival Ride Safety and Insurance Act, the
 14 orders, rules and regulations, codes and minimum standards
 15 made pursuant to [~~this~~] that act by injunction, mandamus or
 16 any other proper legal proceeding without bond, including an
 order not to move the carnival ride or kiddie ride.

17 C. The local law enforcement agency shall have the
 18 authority to [~~enforce the provisions of the Carnival Ride~~
 19 ~~Insurance Act~~] prohibit the operation of a carnival ride or
 20 kiddie ride that does not display a decal. Any person who
 21 [~~does not maintain liability insurance on a carnival ride,~~
 22 ~~operates a carnival ride or authorizes the operation of a~~
 23 ~~carnival ride that does not have insurance, does not annually~~
 24 ~~have his carnival rides inspected or does not file the proper~~
 25 ~~certificates as set forth in the Carnival Ride Insurance Act~~] is found to be in violation of any provision of or rule

1 adopted pursuant to the Carnival Ride Safety and Insurance Act
2 is guilty of a misdemeanor, and upon conviction the court
3 shall impose a fine of up to one thousand dollars (\$1,000) a
4 day for the operation of each ride.

5 D. The department may revoke or suspend the
6 certification for a carnival ride or kiddie ride operated in
7 violation of the Carnival Ride Safety and Insurance Act. "

8 Section 5. Section 57-25-5 NMSA 1978 (being Laws 1993,
9 Chapter 284, Section 5) is amended to read:

10 "57-25-5. LIABILITY--LIMITATIONS. --No provision of the
11 Carnival Ride Safety and Insurance Act shall be construed to
12 place any liability on the state or on the department with
13 respect to any claim by any person, firm or corporation
14 relating to a carnival ride or to any injury or damages
15 arising from a carnival ride or kiddie ride."

16 Section 6. Section 57-25-6 NMSA 1978 (being Laws 1993,
17 Chapter 284, Section 6) is amended to read:

18 "57-25-6. EXEMPTIONS. --The provisions of the Carnival
19 Ride Safety and Insurance Act shall not apply to nonprofit
20 organizations that own and operate a carnival ride or kiddie
21 ride ten days or less each year."

22 Section 7. A new section of the Carnival Ride Safety and
23 Insurance Act is enacted to read:

24 "[NEW MATERIAL] DECAL REQUIRED--LOCAL JURISDICTION LAW
25 ENFORCEMENT. --

A. The department shall annually issue a decal of
certification for each carnival ride or kiddie ride certified
by the department. No carnival ride or kiddie ride may be

1 operated without the current decal posted conspicuously on the
 2 ride. The department shall revoke or suspend the
 3 certification of all carnival rides or kiddie rides operated
 4 by the owner or operator of a carnival ride or kiddie ride on
 5 which a decal has been falsely placed. Decals shall include:

- 6 (1) the name of the carnival ride or kiddie
 7 ride;
- 8 (2) the serial number of the carnival ride or
 9 kiddie ride;
- 10 (3) the date of the inspection of the
 11 carnival ride or kiddie ride;
- 12 (4) the date of certification; and
- 13 (5) the telephone number of the department.

14 B. A law enforcement officer employed by local
 15 jurisdiction may inspect a carnival ride or kiddie ride and
 16 order the closure of any ride operating without a decal. The
 17 local jurisdiction shall immediately notify the department of
 18 the closure of the carnival ride or kiddie ride. Upon
 19 receiving the notification from a local law enforcement
 20 office, the department shall conduct a review of the
 21 certification of the carnival ride or kiddie ride.

22 C. A carnival ride or kiddie ride owner or
 23 operator shall provide conspicuous notification at the
 24 entrance of a carnival ride or kiddie ride operation that the
 25 Carnival Ride Safety and Insurance Act requires certification
 of carnival rides and kiddie rides, and certified carnival
 rides and kiddie rides have a decal of certification
 conspicuously posted.

1 D. The department shall adopt rules to carry out
2 the provisions of the Carnival Ride Safety and Insurance Act."

3 Section 8. DELAYED REPEAL. --The Carnival Ride Safety and
4 Insurance Act is repealed effective July 1, 2004.

underscored material = new
[bracketed material] = delete

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1 **FORTY- FOURTH LEGISLATURE**
2 **FIRST SESSION, 1999**

3
4 **March 4, 1999**

5
6
7 **Mr. Speaker:**

8
9 **Your BUSINESS AND INDUSTRY COMMITTEE, to whom has**
10 **been referred**

11 **HOUSE BILL 600**

12
13 **has had it under consideration and reports same with**
14 **recommendation that it DO PASS, amended as follows:**

15
16 1. On page 3, lines 13 through 15, remove the brackets
17 and line-through.

18 2. On page 3, line 13, strike "three million dollars
19 (\$3,000,000)" and insert in lieu thereof "one million
20 dollars (\$1,000,000)".

21
22 3. On page 3, line 15, strike the colon, strike lines
23 16 through 23 and strike line 24 up to the period.

24
25 4. On page 8, lines 6 through 11, strike Section 6 in
its entirety.

. 129121. 1

underscored material = new
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HJC/HB 600

HBI C/HB 600

Page 22

5. Renumber the succeeding sections accordingly.

6. On page 9, between lines 19 and 20, insert the following new section:

"Section 7. REPEAL.--Section 57-25-6 NMSA 1978 (being Laws 1993, Chapter 284, Section 6) is repealed.".,

and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Debbie A. Rodella, Vice
Chairwoman

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

3 HBIC/HB 600

Page 23

4 Adopted _____ Not Adopted _____
5 (Chief Clerk) (Chief Clerk)

7 Date _____

9 The roll call vote was 8 For 1 Against

10 Yes: 8

11 No: Rodella

12 Excused: Chavez

13 Absent: J. Taylor, T. Taylor

15 128540.1

16 J:\99BillsWP\H0600

underscored material = new
[bracketed material] = delete

. 129121. 1

1 HJC/HB 600

2
3 FORTY- FOURTH LEGISLATURE
4 FIRST SESSION
5

6
7 March 16, 1999
8

9
10 HOUSE FLOOR AMENDMENT number _____ to HOUSE JUDICIARY COMMITTEE
11 SUBSTITUTE FOR HOUSE BILL 600

12 Amendment sponsored by Representative
13

14
15 1. On page 3, between lines 19 and 20, insert the following
16 subsection:

17 "A. Except as provided in Subsection B of this section, no
18 person shall operate a carnival ride without a policy of liability
19 insurance in an amount not less than two million dollars (\$2,000,000)
20 against liability for injury to persons arising out of the operation
21 of the carnival ride."

22
23 2. Reletter the succeeding subsections accordingly.

24
25 3. On page 3, line 20, after "ride" insert "with an initial

FORTY- FOURTH LEGISLATURE
FIRST SESSION

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HFL/HJC/HB 600

Page 25

value greater than two hundred fifty thousand dollars (\$250,000)".

4. On page 3, line 24, after the period insert:

"As used in this subsection, "initial value" means the arm's-length retail value of a carnival ride after manufacture but before use. "

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

underscored material = new
[bracketed material] = delete

1 HJC/HB 600

2
3 FORTY- FOURTH LEGISLATURE
4 FIRST SESSION
5

6
7 March 16, 1999
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10 HOUSE FLOOR AMENDMENT number _____ to HOUSE JUDICIARY COMMITTEE
11 SUBSTITUTE FOR HOUSE BILL 600

12 Amendment sponsored by Representative
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15 1. On page 3, between lines 19 and 20, insert the following
16 subsection:

17 "A. Except as provided in Subsection B of this section, no
18 person shall operate a carnival ride without a policy of liability
19 insurance in an amount not less than two million dollars (\$2,000,000)
20 against liability for injury to persons arising out of the operation
21 of the carnival ride."

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23 2. Reletter the succeeding subsections accordingly.

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25 3. On page 3, line 20, after "ride" insert "with an initial

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value greater than two hundred fifty thousand dollars (\$250,000)".

4. On page 3, line 24, after the period insert:

"As used in this subsection, "initial value" means the arm's-length retail value of a carnival ride after manufacture but before use. "

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

underscored material = new
[bracketed material] = delete